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TECHNOLOGIES

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Date: Tuesday, March 01, 2005

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**TO: COMMISSIONER FOR PATENTS**

P.O. Box 1450

Alexandria, VA 22313-1450

Attn: Harlan, Robert D. /Art Unit 1713

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Facsimile (703) 872-9306

**FROM: KEVIN M. FAULKNER**

Univation Technologies, LLC

5555 San Felipe Road, Suite 1950

Houston, Texas 77056

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REMARKS: ☐ Urgent ☒ For your review ☐ Reply ASAP ☐ Please comment

RE: **U.S.S.N.: 09/687,734**  
**Filing Date: 10/13/2000**  
**Attorney Docket No.: 2000U026.US**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence, consisting of a Terminal Disclaimer to Obviate a Double Patenting Rejection over a "Prior" Patent (1 page), and a Fee Transmittal in Duplicate are being facsimile transmitted to the United States Patent and Trademark Office, to facsimile number (703) 872-9306, on Tuesday, March 1, 2005.

3/1/05  
Date

Kevin M. Faulkner  
Kevin M. Faulkner  
Registration No. 45,427  
Attorney for Applicant(s)

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PTO/SB47 (01-03)

Approved for use through 04/30/2003, OMB 0851-0032  
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**FEE TRANSMITTAL**  
**for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

**Complete If Known**

Application Number	09/687,734
Filing Date	10/13/2000
First Named Inventor	Kao, Sun-Cheuh
Examiner Name	Harlan, Robert D.
Art Unit	1713
Attorney Docket No.	2000U026.US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

50-0589

Univation Technologies

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b> 0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
0	-20** =	0 X 18 =	0
0	-3** =	0 X 84 =	0
0		280 =	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$)</b> 0.00

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Terminal Disclaimer Fee			130.00

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 130.00**SUBMITTED BY**

Name (Print/Type) Kevin M. Faulkner

Registration No. 45,427  
(Attorney/Agent)

(Complete if applicable)

Telephone 713-892-3729

Signature

Date

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

PTO/5517 (01-03)

Approved for use through 04/30/2003. OMB 6551-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **130.00****Complete If Known**

Application Number	09/687,734
Filing Date	10/13/2000
First Named Inventor	Kao, Sun-Cheuh
Examiner Name	Harlan, Robert D.
Art Unit	1713
Attorney Docket No.	2000U026.US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number

50-0589

Deposit Account Name  
Univation Technologies

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

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**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
0	-20** = 0	18	0
0	-3** = 0	84	0
			<b>280</b>

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
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1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b> (\$)			<b>0.00</b>

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for ex parte reexamination	
1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action	
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1802 900	2802 900	Request for expedited examination of a design application	
Other fee (specify) Terminal Disclaimer Fee			130.00

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **130.00****SUBMITTED BY**

Name (Print/Type)	Kevin M. Faulkner	Registration No. (Attorney/Agent)	45,427	Telephone	713-892-3729
Signature	<i>Kevin M. Faulkner</i>	Date			

(Complete if applicable)

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PTO/SB/26 (09-04)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
 REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)  
 2000U026.US

In re Application of: Sun-Chueh Kao

Application No.: 09/687,734

Filed: 10/13/2000

For: A Method For Preparing A Catalyst System And Its Use In A Polymerization Process

The owner, Univation Technologies, L.L.C., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,852,659 B2 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

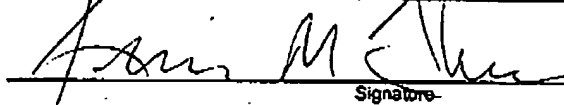
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 45,427

  
 Signature

3/1/05  
 Date

Kevin M. Faulkner  
 Typed or printed name

(713) 892-3729  
 Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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